

MEMO ENDORSED

Craig S. Primis
To Call Writer Directly:
202 879-5021
cprimis@kirkland.com

KIRKLAND & ELLIS LLP
AND AFFILIATED PARTNERSHIPS

655 Fifteenth Street, N.W.
Washington, D.C. 20005

202 879-5000

www.kirkland.com

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Facsimile:
202 879-5200

February 6, 2008

VIA FACSIMILE AND HAND DELIVERY

The Honorable P. Kevin Castel
United States District Court
for the Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007-1312

Re: *Webb's Candies, Inc. v. The Hershey Company, et al.*
S.D.N.Y. No. 08 CIV 0382 (PKC)

Dear Judge Castel:

I am counsel to The Hershey Company ("Hershey") in the above-referenced case and submit this letter to the Court to propose an extension of time.

The current date established for Hershey to answer, move, or otherwise respond to the complaint is on February 7, 2008. The parties are discussing whether to enter into a stipulation pending a decision of the MDL Panel *In re Chocolate Confectionary Antitrust Litigation*, MDL No. 1935, which is considering the consolidation and coordination of more than 40 actions similar to this one. Hershey respectfully requests—and plaintiff Webb's Candies, Inc. has consented to—a 30-day extension of the time for all defendants served to respond to Webb's Candies's complaint to allow further discussion of a stipulation. Subject to further agreement, Hershey and other defendants served the same day will answer, move, or otherwise respond to the complaint on March 10, 2008. This is Hershey's first request for an adjournment or extension, and this extension would not affect any other scheduled dates.

Counsel is available at the Court's convenience to answer any questions the Court may have.

Sincerely,

Craig S. Primis

Craig S. Primis, P.C. (CP-5017)

cc: Robert G. Eisler (via e-mail)

Chicago

London

Los Angeles

Munich

New York

San Francisco

*Appellate granted:
Time for all
defendants to answer
a move adjourned
to March 10, 2008
SO ORDERED
USDT
2-6-08*